

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

## FINAL STATUS REPORT

May 13, 2005

**SWARTWOOD, C.M.J.**

The following is a Final Status Report to Saris, J. to whom  
this case is assigned:

## 1. Substantive Motions

Mr. Gomes has filed a Motion To Suppress and Mr. Pina has stated his intent to file a Motion To Join Mr. Gomes' Motion To Suppress which motion will be filed on May 17, 2005. Without objection from the Government, I have indicated that I will allow that motion. The Government filed its opposition to the Motion To Suppress on May 12, 2005. Therefore, I am returning this case to Judge Saris for all further proceedings.

## 2. Excludable Time

With the assent of counsel for the parties, I am excluding from the Speedy Trial Act, the period from April 29, 2005 (date of expiration of prior order of excludable time) through May 17, 2005

(date by which Mr. Pina's counsel will have filed a Motion To Join Mr. Gomes' Motion To Suppress). Therefore, with the assent of all counsel, I have excluded from the Speedy Trial Act, the entire period from date of arraignment through May 17, 2005 and assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Tuesday, July 26, 2005.

/s/Charles B. Swartwood, III  
CHARLES B. SWARTWOOD, III  
CHIEF MAGISTRATE JUDGE